

111TH CONGRESS  
1ST SESSION

# H. R. 3487

To require the Secretary of State and the Attorney General to take certain actions against specified foreign nationals involved in actions relating to international child abduction, regardless of whether a country is a party to the Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2009

Mr. HOLT introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To require the Secretary of State and the Attorney General to take certain actions against specified foreign nationals involved in actions relating to international child abduction, regardless of whether a country is a party to the Hague Convention on the Civil Aspects of International Child Abduction, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “International Parental  
5       Child Abduction Deterrence Act”.

1 **SEC. 2. STRENGTHENING INTERNATIONAL PARENTAL KID-**  
2 **NAPPING PROVISIONS.**

3 Section 1204 of title 18, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) by inserting “, or assists in retaining  
7 such a child,” after “United States”); and

8 (B) by striking “intent” and inserting “the  
9 intent”;

10 (2) by redesignating subsections (b) through (d)  
11 as subsections (c) through (e), respectively; and

12 (3) by inserting after subsection (a) the fol-  
13 lowing:

14 “(b)(1)(A) In any case in which a foreign national  
15 removes or attempts to remove a child described in sub-  
16 paragraph (B) from the United States, retains a child de-  
17 scribed in subparagraph (B) (who has been in the United  
18 States) outside the United States, or assists an individual  
19 in retaining a child described in subparagraph (B) (who  
20 has been in the United States) outside the United States,  
21 with the intent to obstruct the lawful exercise of parental  
22 rights under the laws of the United States or international  
23 law or conventions, then pending the final disposition of  
24 the prosecution of the case against such foreign national  
25 under this section—

1           “(i) the court shall order the freezing of all  
2           financial assets (including property) of that for-  
3           eign national that are located in the United  
4           States; and

5           “(ii) the Secretary of State shall identify  
6           any assets of that foreign national that are held  
7           in financial or other institutions in countries  
8           other than the United States and request that  
9           those countries in which such assets are located  
10          take all necessary steps to freeze such assets  
11          until such time as the Secretary of State cer-  
12          tifies to a country holding such assets the case  
13          against the foreign national under this section  
14          has been finally disposed of.

15          “(B) A child is described in this subparagraph if the  
16          child is a United States citizen or an alien lawfully admit-  
17          ted for permanent residence in the United States.

18          “(2) The court may allow the release of assets frozen  
19          under paragraph (1)(A)(i), on a case by case basis, for  
20          such emergency circumstances as the court considers nec-  
21          essary.

22          “(3) All agencies of the United States Government  
23          shall provide to the Attorney General and the Secretary  
24          of State such assistance that the Attorney General and  
25          the Secretary of State consider necessary to ensure that

1 all information on the assets described in paragraph  
 2 (1)(A) (i) and (ii) is made available to the Secretary of  
 3 State and the Attorney General on an expedited basis.”.

4 **SEC. 3. VISA INELIGIBILITY FOR INTERNATIONAL CHILD**  
 5 **ABDUCTION.**

6 Section 212(a)(10)(C)(iii) of the Immigration and  
 7 Nationality Act (8 U.S.C. 1182(a)(10)(C)(iii)) is amend-  
 8 ed—

9 (1) in subclause (I), by adding “or” after the  
 10 semicolon;

11 (2) by striking “; or” at the end of subclause  
 12 (II) and inserting a period; and

13 (3) by striking subclause (III).

14 **SEC. 4. REPORT ON ENFORCEMENT OF SECTION 1204 OF**  
 15 **TITLE 18, UNITED STATES CODE.**

16 The Attorney General, in consultation with the Sec-  
 17 retary of State, shall prepare and submit to the Congress  
 18 an annual report that contains a description of the status  
 19 of each case involving a request during the preceding year  
 20 for extradition to the United States of an individual al-  
 21 leged to have violated section 1204 of title 18, United  
 22 States Code.

23 **SEC. 5. AUTHORIZATION OF FUNDS FOR EXTRADITION.**

24 There are authorized to be appropriated for each fis-  
 25 cal year such funds as may be necessary for the costs of

1 extraditing individuals from foreign countries to the  
2 United States for violations of laws in the United States  
3 by reason of unlawfully removing a child from the child's  
4 custodial parent.

